

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE LORAZEPAM AND CLORAZEPATE  
ANTITRUST LITIGATION

CASE NUMBER MDL 1290 (TFH)

ARKANSAS CARPENTERS HEALTH AND  
WELFARE FUND, on behalf of itself and all  
others similarly situated,  
1 Riverfront Place, Suite 700  
North Little Rock, Arkansas 72114,

CASE NUMBER 1:01-CV-00159

JUDGE: THOMAS F. HOGAN

Plaintiff,

v.

**FILED**

**JUN 13 2001**

MYLAN LABORATORIES, INC.  
130 Seventh Street  
1030 Century Building  
Pittsburgh, Pennsylvania 15222

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

MYLAN PHARMACEUTICALS, INC.  
781 Chestnut Ridge Road  
Morgantown, West Virginia 26505

CAMBREX CORPORATION  
One Meadowlands Plaza  
East Rutherford, New Jersey 07073

- and -

GYMA LABORATORIES OF AMERICA,  
INC.  
135 Cantiague Rock Road  
Westbury, New York 11590,

Defendants.

  
~~Proposed~~ **AGREED ORDER**

Upon review and consideration of Plaintiff's Notice of Motion and the Affidavit of Joseph S. Tusa, Esq. In Support Of Agreed Order, and the exhibits attached thereto, and upon review of the prior orders of this Court and all pleadings and proceedings concerning the proposed settlement of this action, it is hereby ORDERED as follows:

1. The Court hereby authorizes the dissemination of the revised Notice, in the form attached as Exhibit A to the Affidavit of Joseph S. Tusa, the revised Notice of Exclusion, in the form attached as Exhibit B to the Affidavit of Joseph S. Tusa, the revised Proof of Claim, in the form attached as Exhibit C to the Affidavit of Joseph S. Tusa, and the revised Summary Notice, in the form attached as Exhibit D to the Affidavit of Joseph S. Tusa.

2. The definition of the class conditionally certified for settlement purposes by the Preliminary Approval Order is hereby amended solely to reflect the revised definition of "Third Party Payor" as follows:

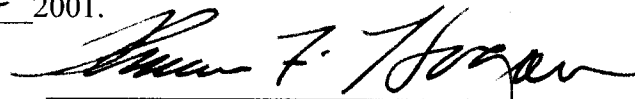
"Third Party Payor" means any non-governmental entity that is (i) a party to a contract, issuer of a policy, or sponsor of a plan, which contract, policy or plan provides prescription drug coverage to natural persons, and is also (ii) at risk, pursuant to such contract, policy or plan, to pay or reimburse all or part of the cost of prescription drugs dispensed to natural persons covered by such contract, policy, or plan.

3. The Settlement Scheduling Order is hereby amended to the extent that Indirect Purchaser Lead Counsel shall have until June 15, 2001 or until one week from the date of this Order, whichever date is later, to cause the commencement of the mailing of the Notice of Settlement of Class Action, Proof of Claim and Notice of Exclusion, in the form approved by this Order, to the Settlement Class.

4. Except as expressly modified herein, all provisions of the Preliminary Approval

Order, Settlement Scheduling Order and Stipulation of Settlement shall remain in full force and effect.

SO ORDERED this 11 day of June 2001.

A handwritten signature in black ink, appearing to read "Thomas F. Hogan", written over a horizontal line.

Hon. Thomas F. Hogan  
United States District Judge